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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,705	11/30/2001	Sergio Alberto Vinocur	9D-HR-19788	4297

7590

07/14/2003

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EXAMINER

TRAN, THUY V

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 07/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,705

Applicant(s)

VINOCUR ET AL.

Examiner

THUY V. TRAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-13 is/are allowed.
- 6) ☒ Claim(s) 1, 14 and 20 is/are rejected.
- 7) ☒ Claim(s) 2-7 and 15-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on (*formal*) 04/30/03 is: a) ☐ approved b) ☒ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

This is a reply to the Applicants' request for reconsideration submitted on April 30th, 2003. In this request, claims 1-20 remain active in the instant application.

Drawings

1. The formal drawings filed on April 30th, 2003 have been disapproved because some of the figures are not labeled correctly; i.e. Fig. 3 should be labeled as Fig. 2; and Fig. 4 should be labeled as Fig. 3.

A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

Abstract Objection

2. The abstract of the disclosure is objected to because of the following informality:

Line 2, change "include" to --includes--.

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 14, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ott et al. (U.S. Patent No. 4,851,662).

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As to claim 1, Ott et al. discloses, in Figs. 1-3, a refrigerator [10] comprising (1) a fresh food section [on the right side of the refrigerator with door (12)] (*see Fig. 1; col. 2, lines 51-52*), and (2) a freezer section [on the left side of the refrigerator with door (14)] (*see Fig. 1; col. 2, lines 53-54*); wherein at least one of the fresh food section and freezer section comprises (i) a door [14] comprising an external surface and an internal surface, and (ii) a light [30] mounted to the external surface and electrically coupled to a control circuit (*or processor-free light fade-out circuit, as claimed*) (*see Figs. 1-3; col. 3, lines 32-35*).

As to claim 14 and 20, Ott et al. discloses, in Figs. 1-3, an appliance [10] and a method for de-energizing an appliance light [30] comprising the steps (1) providing a light bulb [30] (*which is mounted to an external surface of a door (14) of a freezer section; see Figs. 1-3*), (2) providing a control circuit (*or a processor-free light fade-out circuit, as claimed*) (*see Fig. 3; col. 3, lines 32-35*), and (3) electrically coupling the light bulb [30] to the control circuit or processor-free light fade-out circuit as claimed (*see Fig. 3; col. 3, lines 32-35*) such that the appliance light [30] is de-energized using the control circuit or processor-free fade-out circuit as claimed (*via switch (40); see col. 4, lines 57-61*), wherein the appliance [10] is a refrigerator [10] (*see Figs. 1-3*).

Allowable Subject Matter

5. Claims 8-13 are allowed.
6. Claims 2-7 and 15-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter:

Prior art fails to disclose or suggest a processor-free light fade-out circuit being comprised of (i) a step-down circuit, (ii) a one-half integrator, (iii) a square wave generator, (iv) an integrator, and (v) a voltage comparator; wherein (a) the step down circuit is electrically coupled to the one-half integrator, (b) the square wave generator is electrically coupled to the integrator, and (c) the voltage comparator is electrically coupled to the one-half integrator and the integrator, as called for in claims 2, 15, and independent claim 8.

Citation of relevant prior art

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Pohl et al. (U.S. Patent No. 5,787,724) discloses a dispensing assembly for top mount refrigerator.

Remarks and conclusion

9. Applicants' arguments with respect to claims 1, 14, and 20 have been considered but are moot in view of the new ground(s) of rejection.

The Examiner finds that prior art of record to Ott et al. discloses all of the limitations claimed in claims 1, 14, and 20, including a refrigerator [10] comprising (1) a fresh food section (*on the right side of the refrigerator with door (12); see Fig. 1; col. 2, lines 51-52*), and (2) a freezer section (*on the left side of the refrigerator with door (14); see Fig. 1; col. 2, lines 53-54*); wherein at least one of the fresh food section and freezer section comprises (i) a door [14] comprising an external surface and an internal surface, and (ii) a light [30] mounted to the external surface and electrically coupled to a control circuit (*or processor-free light fade-out circuit, as claimed*) (*see Figs. 1-3; col. 3, lines 32-35*) and a respective method for de-energizing

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a light therein (*for details, see 102(b) rejections*). Therefore, claims 1, 14, and 20 are rejected as anticipated by prior art to Ott et al..

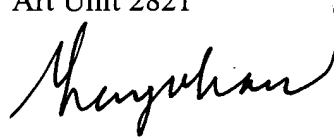
Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THUY V. TRAN whose telephone number is (703) 305-0012. The examiner can normally be reached on M-F (8:30-6:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DON K. WONG can be reached on (703) 308-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

THUY V. TRAN
Examiner
Art Unit 2821



T.T.
June 19, 2003